

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JAMES W. EMERSON, #56867
Plaintiff

v.

**DENTON CNTY. JAIL MED. STAFF,
ET AL., Defendants**

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CIVIL ACTION NO. 4:22cv291

ORDER OF DISMISSAL

This case was referred to United States Magistrate Judge Aileen Goldman Durrett, who issued a Report and Recommendation (Dkt. #9) concluding that Plaintiff's lawsuit should be dismissed without prejudice for failure to prosecute. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections having been timely filed¹, the Court concludes that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court.

It is therefore **ORDERED** that Plaintiff's complaint is **DISMISSED** without prejudice. All motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 31st day of July, 2023.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE

¹The Court notes that the Report and Recommendation was also returned to the court, stamped, "Return to Sender, Refused, Unable to Forward," and in handwriting on the envelope, it was noted, "Not Here" (Dkt. #10).